

MINUTES (APPROVED)

The Board of Selectmen held a public hearing on Wednesday, March 13, 2013, at 4:30 p.m. in Rooms 309/307. Present at the meeting were: Gordon F. Joseloff, Shelly A. Kassen, Charles W.K. Haberstroh (via telephone), Gail Kelly Stephen Edwards, Police Captain John Calka, Gary Conrad, Eileen Zhang, Patricia Strauss, Matthew Mandell, John Suggs, Allen Bomes, Stephen Rubin, Susan Gold, Edward Gerber, Lori Cochran, Rebecca Howe, Deborah Press, Jennifer Thompson, Bob Mazzone, John Stellwagen, Steve Lobdell, Bob Lasprogato, Marla Cowden, Richard Giunta, Eric Weis, Lawrence Weisman, Wilder Gleason, Peter Cooper Mark Hamilton, Ellen van Dorsten, Tracy Dwyer, Malcolm Decker, Clark Hanford, Marc Ventresca, Melvin Barr, Michael Blitzer, and Patricia Scully recording secretary.

MINUTES

1. The minutes of the Board of Selectmen's public hearing of Feb. 13, 2013 was presented by the recording secretary. There were no additions/deletions/revisions. Upon motion by Shelly A. Kassen, seconded by Charles W.K. Haberstroh and passed by a vote of 3-0, it was:

RESOLVED: That the minutes of the Board of Selectmen's public hearing of Feb. 13, 2013 as presented are hereby APPROVED.

APPROVAL OF USE OF TOWN-OWNED PROPERTY KNOWN AS VETERANS GREEN BY THE WESTPORT HISTORICAL SOCIETY ON SATURDAY, JUNE 1, 2013 AND SUNDAY, JUNE 2, 2013 FOR THE ANNUAL HIDDEN GARDEN TOUR AND GARDEN MARKET

2. Item #2 was presented by Susan Gold and Edward Gerber representing the Westport Historical Society. Upon motion by Shelly A. Kassen, seconded by Charles W.K. Haberstroh and passed by a vote of 3-0, it was:

RESOLVED: That the request for use of the town-owned property known as Veterans Green by the Westport Historical Society on Saturday, June 1, 2013 and Sunday, June 2, 2013 for the Annual Hidden Garden Tour and Garden Market, contingent upon compliance with comments from various town departments including the Westport/Weston Health District and in accordance with the Procedures for Use of Town-owned Property, Facilities and/or Public Roadways, is hereby APPROVED.

APPROVAL OF USE OF TOWN-OWNED PROPERTY KNOWN AS IMPERIAL AVENUE PARKING LOT BY THE WESTPORT FARMERS' MARKET ON THURSDAYS BEGINNING MAY 23 THROUGH NOV. 7, 2013

3. Item #3 was presented by Lori Cochran and Rebecca Howe representing the Westport Farmers Market. Upon motion by Shelly A. Kassen, seconded by Charles W.K. Haberstroh and passed by a vote of 3-0, it was:

RESOLVED: That the request for use of the town-owned property known as the Imperial Avenue parking lot by the Westport Farmers Market on Thursdays beginning May 23 through Nov. 7, 2013, contingent upon compliance with comments from various town departments including the Westport/Weston Health District and in accordance with the Procedures for Use of Town-owned Property, Facilities and/or Public Roadways, is hereby APPROVED.

APPROVAL OF USE OF TOWN-OWNED PROPERTY KNOWN AS THE SAUGATUCK TRAIN STATION PARKING LOT FOR THE WAVE ANTIQUE MARKET ON SUNDAYS, JUNE 2, JUNE 23, JULY 7, JULY 21, AUG. 4 AND AUG. 18 TO BENEFIT THE CONNECTICUT FOOD BANK

4. Item #4 was presented by Deborah Press representing WAVE, and Jennifer Thompson representing the Connecticut Food Bank. Upon motion by Shelly A. Kassen, seconded by Charles W.K. Haberstroh and passed by a vote of 3-0, it was:

RESOLVED: That the request for use of town-owned property known as the Saugatuck train station parking lot for the WAVE Antique Market on Sundays, June 2, June 23, July 7, July 21, Aug. 4 and Aug. 18 to benefit the Connecticut Food Bank, contingent upon compliance with comments from various town departments including the Westport/Weston Health District and in accordance with the Procedures for Use of Town-owned Property, Facilities and/or Public Roadways, is hereby APPROVED.

APPROVAL OF USE OF TOWN ROADWAYS BY THE CONNECTICUT CHALLENGE FOR THE ANNUAL CHARITY BIKE RIDE, INCLUDING A RIDE ON FRIDAY, JULY 26, 2013 AND A RIDE ON SATURDAY, JULY 27, 2013

5. Item #5 was presented by Bob Mazzone and John Stellwagen representing the Connecticut Challenge organization. Upon motion by Shelly A. Kassen, seconded by Charles W.K. Haberstroh and passed by a vote of 3-0, it was:

RESOLVED: That the request to the Traffic Authority for use of town roadways by the Connecticut Challenge for the annual charity bike ride, including a ride on Friday, July 26, 2013 and a ride on Saturday, July 27, 2013, contingent upon compliance with comments from various town departments including the Westport/Weston Health District and in accordance with the Procedures for Use of Town-owned Property, Facilities and/or Public Roadways, is hereby APPROVED.

APPROVAL OF USE OF TOWN ROADWAYS BY THE FAIRFIELD HALF MARATHON ORGANIZATION FOR THE ANNUAL FAIRFIELD HALF MARATHON ON SUNDAY, JUNE 23, 2013

6. Item #6 was presented by Steve Lodell representing the Fairfield Half Marathon organization. Police Captain John Calka also spoke to the request. Upon motion by Shelly A. Kassen, seconded by Charles W.K. Haberstroh and passed by a vote of 3-0, it was:

RESOLVED: That the request to the Traffic Authority for use of town roadways by the Fairfield Half Marathon organization for the Annual Fairfield Half Marathon on Sunday, June 23, 2013, contingent upon compliance with comments from various town departments including the Westport/Weston Health District and in accordance with the Procedures for Use of Town-owned Property, Facilities and/or Public Roadways, is hereby APPROVED.

APPROVAL OF WESTPORT EMERGENCY ELECTIONS PROCEDURES IN ACCORDANCE WITH STATE STATUTE 9-174A AND AS RECOMMENDED BY THE WESTPORT REGISTRARS OF VOTERS

7. Item #7 was presented by Registrars of Voters Marla Cowden and Bo Lasprogato. Upon motion by Shelly A. Kassen, seconded by Charles W.K. Haberstroh and passed by a vote of 3-0, it was:

RESOLVED: That the request for the approval of the Westport Emergency Elections Procedures in accordance with State Statute 9-174A and as recommended by the Westport Registrars of Voters is hereby APPROVED.

Selectman Haberstroh had an appointment and had to hang-up before the end of the public hearing.

APPROVAL OF RENEWAL OF MASTER AGREEMENT FOR PRODUCTS AND SERVICES BETWEEN TOWN OF WESTPORT AND COTT SYSTEMS FOR THREE YEARS COMMENCING APRIL 2, 2013 AS RECOMMENDED BY THE TOWN CLERK

8. Item #8 was presented by Town Clerk Patricia Strauss. Upon motion by Shelly A. Kassen, seconded by Gordon F. Joseloff and passed by a vote of 2-0, it was:

RESOLVED: That the request for the renewal of the Master Agreement for Products and Services between the Town of Westport and Cott Systems, for three years commencing April 2, 2013 and as recommended by the Town Clerk, is hereby APPROVED.

APPROVAL OF RENEWAL OF LEASE BETWEEN TOWN OF WESTPORT AND WESTPORT ASTRONOMICAL SOCIETY AT 182 BAYBERRY LANE FOR THREE YEARS COMMENCING JAN. 1, 2013

9. Item #9 was withdrawn by the Assistant Town Attorney.

APPROVAL OF LICENSE AGREEMENT BETWEEN TOWN OF WESTPORT AND HARBOR MARINE SERVICES FOR A LAUNCH SERVICE FOR THREE YEARS COMMENCING APRIL 1, 2013, AS RECOMMENDED BY THE PARKS & RECREATION DIRECTOR

10. Item #10 was presented by Parks & Recreation Administrative Manager Richard Giunta. Upon motion by Shelly A. Kassen, seconded by Gordon F. Joseloff and passed by a vote of 2-0, it was:

RESOLVED: That the request for a license agreement between the Town of Westport and Harbor Marine Services for a launch service for three years commencing on April 1, 2013, as recommended by the Parks & Recreation Director, is hereby APPROVED.

APPROVAL OF PLACEMENT OF ROUTE SIGNS FOR THE EAST COAST GREENWAY BY THE CONNECTICUT DEPARTMENT OF TRANSPORTATION ALONG STATE ROUTES INCLUDING THE INSTALLATION AND MAINTENANCE OF SUCH SIGNAGE

11. Item #11 was presented by Eric Weis, Train Program Coordinator for East Coast Greenway Alliance. Upon motion by Shelly A. Kassen, seconded by Gordon F. Joseloff and passed by a vote of 2-0, it was:

RESOLVED: That the request for placement of route signs for the East Coast Greenway by the Connecticut Department of Transportation along state routes, and on certain town roadways, including the installation and maintenance of such signage, is hereby APPROVED.

APPROVAL OF ADDITION OF 34 PARKING SPACES AND FURTHER APPROVE CONTINUING THE ENTRANCE/EXIT TO RIVERSIDE AVENUE AT PROPERTY KNOWN AS 321-329 RIVERSIDE AVENUE SUBJECT TO PLANNING & ZONING DIRECTOR'S LETTER OF FEB. 26, 2013

12. Item #12 was presented by Attorney Lawrence Weisman representing the owners of 321-329 Riverside Avenue. Attorney Weisman asked that the request be amended to an addition of 47 parking spaces. Upon motion by Shelly A. Kassen, seconded by Gordon F. Joseloff and passed by a vote of 2-0, it was:

RESOLVED: That the request to the Traffic Authority for the addition of 47 parking spaces and further to continue the entrance and exit to Riverside Avenue at property known as 321-329 Riverside Avenue, subject to the Planning & Zoning Director's letter of Feb. 26, 2013 attached, is hereby APPROVED.

APPROVAL OF WAIVER OF WESTPORT POLICY ON ENCROACHMENTS ON TOWN PROPERTY, AT PROPERTY KNOWN AS 223 HILLSPPOINT ROAD, CONTINGENT UPON TOWN ENGINEER'S LETTER OF FEB. 26, 2013

13. Item #13 was presented by Attorney Wilder Gleason representing the homeowners of 223 Hillspoint Road. The applicant/homeowner, Peter Cooper, was also present. Information given to the board indicated that the encroachment was pre-existing (before Feb. 1, 1989 encroachment policy). A 1954 survey shows the wall. The wall was repaired after Hurricane Irene in 2011. Westport residents and neighbors spoke against the waiver, including Mark Hamilton, Ellen van Dorsten, Tracy Dwyer, Malcolm Decker and Clark Hanford. A neighborhood petition was

presented requesting that the Board of Selectmen deny the application for a waiver (attached). Also attached are statements by Ellen van Dorsten and Sidney Kramer (read by Malcolm Decker. Attorney Gleason, on behalf of Mr. & Mrs. Cooper, requested that the item be continued to allow him time to review information presented to the board from the neighbors. Upon motion by Gordon F. Joseloff, seconded by Shelly A. Kassen and passed by a vote of 2-0, it was:

RESOLVED: That the request to continue to a date certain of May 15, 2013 for a waiver of the Westport Policy on Encroachments on Town Property at property known as 223 Hillspoint Road, allowing time to review additional information by the applicant and his attorney, is hereby APPROVED

APPROVAL OF WAIVER OF WESTPORT POLICY ON ENCROACHMENTS ON TOWN PROPERTY, AT PROPERTY KNOWN AS 150 IMPERIAL AVENUE, CONTINGENT UPON TOWN ENGINEER'S LETTER OF FEB. 13, 2013

14. Item #14 was presented by Marc Ventresca, SIR Development and representing the property owner. Upon motion by Shelly A. Kassen, seconded by Gordon F. Joseloff and passed by a vote of 2-0, it was:

RESOLVED: That the request for a waiver of the Westport Policy on Encroachments on Town Property, at property known as 150 Imperial Avenue, contingent upon the Town Engineer's letter of Feb. 13, 2013 attached, is hereby APPROVED.

APPROVAL OF WAIVER OF WESTPORT POLICY ON ENCROACHMENTS ON TOWN PROPERTY, AT PROPERTY KNOWN AS 10 DEVON ROAD, CONTINGENT UPON TOWN ENGINEER'S LETTER OF FEB. 19, 2013

15. Item #15 was presented by Melvin Barr representing the property owner. Mr. Michael Blitzer, property owner, was also present. Public Works Director Stephen Edwards expressed concerns for the encroachment. Mr. Edwards indicated that if the wall was to be constructed on a straight line from the stone pillar that would be acceptable. The board suggested this request be continued to the next hearing thereby giving the applicant and the Public Works Department time to work-out the details. Upon motion by Gordon F. Joseloff, seconded by Shelly A. Kassen and passed by a vote of 2-0, it was:

RESOLVED: That the request to continue to a date certain of April 10, 2013 for a waiver of the Westport Policy on Encroachments on Town Property at property known as 10 Devon Road allowing time for the applicant and Public Works Department to work-out details for a better alternative is hereby APPROVED.

APPROVAL OF NETWORK ACCESS SERVICE AGREEMENT BETWEEN CONNECTICUT DEPARTMENT OF ADMINISTRATIVE SERVICES BUREAU OF ENTERPRISE SYSTEMS AND TECHNOLOGY AND THE TOWN OF WESTPORT REGARDING THE CONNECTICUT EDUCATION NETWORK, AS RECOMMENDED BY THE DIRECTOR OF OFFICE OF INFORMATION TECHNOLOGY

16. Item #16 was presented by Information Technology Director Eileen Zhang. Upon motion by Shelly A. Kassen, seconded by Gordon F. Joseloff and passed by a vote of 2-0, it was:

RESOLVED: That the request for the Network Access Service Agreement between the Connecticut Department of Administrative Services Bureau of Enterprise Systems and Technology and the Town of Westport regarding the Connecticut Education Network, as recommended by the Director of Office of Information Technology, is hereby APPROVED.

APPROVAL OF AMENDMENT TO APPLICATION SERVICE PROVIDER AGREEMENT BETWEEN TOWN OF WESTPORT AND TYLER TECHNOLOGIES, INC. AS RELATES TO MUNIS FINANCIAL, PAYROLL AND HUMAN RESOURCES SOFTWARE PRODUCTS FOR A THREE YEAR TERM COMMENCING ON APRIL 1, 2013, AS RECOMMENDED BY FINANCE DIRECTOR AND DIRECTOR OF THE OFFICE OF INFORMATION TECHNOLOGY

17. Item #17 was presented by Finance Director Gary Conrad and IT Director Eileen Zhang. Upon motion by Shelly A. Kassen, seconded by Gordon F. Joseloff and passed by a vote of 2-0, it was:

RESOLVED: That the request for an amendment to the Application Service Provider Agreement between the Town of Westport and Tyler Technologies, Inc., as relates to the MUNIS Financial, Payroll and Human Resources software products for a three year term commencing on April 1, 2013, as recommended by the Finance Director and the Director of the Office of Information Technology, is hereby APPROVED.

Upon motion by Gordon F. Joseloff, seconded by Shelly A. Kassen and passed by a vote of 2-0, the public hearing was adjourned at 7:30 p.m.

Patricia Scully
Recording Secretary